



Matter 3: Housing

Examination of the Cheshire East Local Plan Site
Allocations and Development Policies Document

for Bloor Homes

Emery Planning project number: 17-087

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Cheshire East Site
Allocations and
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Document
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1. Introduction

1.1 This hearing statement is submitted on behalf of Bloor Homes in relation to Matter 3: Housing.

2. Matter 3: Housing

Other Types of Housing

Housing mix (Policy HOU 1)

Q47. Is the requirement of Policy HOU 1 for all major housing developments to provide an 'appropriate mix' of housing types and sizes using the figures in Table 8.1 as a starting point, justified on the basis of proportionate evidence, clear and unambiguous, and consistent with the LPS and national policy?

2.1 No.

2.2 The Framework sets out at paragraph 62 that:

"...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes."

2.3 Paragraph 124 states that *planning policies and decisions should support development that makes efficient use of land, taking into account a) the identified need for different types of housing and other forms of development...* There is no requirement in the Framework for all major housing developments to provide an 'appropriate mix' of housing types and sizes as proposed by Policy HOU1. The policy requirements in Policy HOU1 also go beyond the scope of Policy SC4 of the LPS which requires new residential development to maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. The explanatory text to Policy SC4 at paragraph 12.32 explains that an *"appropriate mix of housing will need to be provided within individual developments, proportionate to the scale of development proposed."* The proposed policy is not consistent with the LPS or national policy.

2.4 As set out in our representations to the Revised Publication Draft in December 2021, Policy HOU1 is not justified on the basis of proportionate evidence, clear and unambiguous or consistent with

the LPS and national policy. At the hearing sessions, we intend to refer to our representations to the CEC Housing SPD in June 2021 on behalf of our client and also to the representations submitted by Savills on behalf of our client (and others) to the Housing SPD.

Self and custom build dwellings (Policy HOU3)

Q53. Is Policy HOU 3 justified and consistent with national policy in seeking serviced plots for self and custom-build housing on housing developments of 30 or more homes? In particular:

a) Given the current excess in the number of serviced plots permitted over and above the number of self-build and custom-build applicants on the register in Cheshire East, as evidenced in the 2019/20 Annual Monitoring Report, is criterion 2 of the policy justified?

2.5 The AMR shows that the council has met its legal duty by permitting 72 self build plots in excess of the targets for the base periods i.e. those registered on the self-build register. Our only comment in this regard is that the AMR is not clear on whether there is a direct correlation between the individuals registered on the council's self-build register and the self-build plots permitted.

2.6 As set out in the representations and our representation to the Housing SPD (EP1), we consider that support should be given towards schemes that deliver self and custom build homes as per part 1 of the policy. Our concerns are directed to part 2 of the policy.

b) What is the evidence to support the site size threshold of 30 dwellings?

2.7 Insufficient evidence has been provided to justify the site threshold of 30 dwellings. Please see paragraphs 23.1 to 23.6 of Emery Planning's December 2020 representations in this regard. We consider that point 2 of the policy should be deleted.

c) What is considered to be an 'acceptable proportion' of serviced plots?

2.8 There is no evidence to suggest what an 'acceptable proportion' of serviced plots on a larger residential development would be. Furthermore, there is no evidence that an unmet demand for self-build plots could be satisfied through the provision of serviced plots on large residential developments. The requirement for a 'proportion' of plots to be self-build is unclear and ambiguous and should be deleted.

Housing Development Standards and Requirements

Accessibility & wheelchair housing standards (Policy HOU 6)

Q54. Are the targets for M4(2) Accessible and Adaptable dwellings and M4(3) Wheelchair user dwellings for all major housing developments and specialist housing for older people set out in Policy HOU 6 justified on the basis of proportionate evidence, deliverable and consistent with national policy?

- 2.9 No. We consider that the targets for M4 (2) and M4 (3) dwellings are not justified on the basis of proportionate evidence or consistent with national policy. We refer to our representations to the Revised Publication Draft SADPD dated December 2020 in particular paragraphs 24.1 to 24.8 in respect of M4 (2) dwellings and paragraphs 24.9 to 24.13 in respect of M4 (3) dwellings.

Q55. Does the Nationally Described Space Standards (NDSS) Justification Paper provide clear evidence of a local need to justify the application of the NDSS in Cheshire East?

- 2.10 No, the application of the NDSS in Cheshire East is not justified by any evidence of need and the requirement should be deleted from Policy HOU6. Please see paragraphs 24.14 to 24.17 of our representations to the Revised Publication Draft SADPD dated December 2020.

Q56. Does the viability evidence demonstrate that the targets for accessible and wheelchair standard housing and the NDSS could be viably supported by residential development and specialist housing for older people alongside all other policy requirements?

- 2.11 The Nationally Described Space Standards Justification Paper (ED 57) states that the Site Allocations and Development Policies Viability Assessment (ED 52) has assessed and considered policies contained within the Plan. It states that the modelling included in the viability assessment has included the NDSS and as such the financial implications and impact on site typologies across the borough has been taken into consideration.
- 2.12 Paragraph 12.98 of the Site Allocations and Viability Assessment concludes that the council can be confident that the sites in the emerging SADPD are deliverable when taking into account the full cumulative impact of the policies in the SADPD.
- 2.13 However, it states that the additional policies are 'unlikely' to prejudice the allocations in the LPS, i.e. there is some doubt. The viability results are not positive for the medium and low value areas

and the report recommends that the council should consider a flexible approach to viability and potentially accept a lower level of affordable housing or other policy requirements in these areas (see paragraph 10.14 of ED 52). Furthermore, the viability appraisal only considers allocated sites and does not assess the range of windfall sites that will come forward over the plan period. Such windfall sites may be on previously developed land and subject to other constraints which will not have been taken into account in the viability appraisal.

- 2.14 Finally, Policy HOU6 applies a one size fits all approach and does not take into account bespoke schemes which may include an element of conversion, perhaps of a heritage asset where it would not be feasible to meet the requirements of Policy HOU6. This is not appraised in the evidence base or accounted for in policy.
- 2.15 The viability evidence does not therefore demonstrate that the targets could be viably supported for all residential schemes.

Q57. Would a transitional period for NDSS be justified to enable developers to factor the cost of the space standards into future land acquisitions?

- 2.16 Without prejudice to our answers above that the introduction of the NDSS is not justified, should the policy be adopted, it would not be reasonable to apply this to any sites with outline permission or permission in principle at the point of adoption of the SADPD. We would also suggest an 18 month transitional period to take into account land acquired prior to the adoption of the SADPD but yet to obtain planning permission.

Residential Standards (Policy HOU 11)

Q62. Are the residential standards defined in Policy HOU 11 and Table 8.2 justified on the basis of proportionate evidence, and if so, what is the evidence to support each standard? Do they offer sufficient flexibility to allow for innovative urban design and support the efficient use of land in new residential developments, in line with the expectations of paragraph 125 of the NPPF?

- 2.17 We consider that part 2 of the policy is too prescriptive. Such guidance is already provided in the Cheshire East Design Guide and there is no need to introduce specific policy requirements, given that the necessity and acceptability of set-back distances will always need to be determined on a site-by-site basis.

Housing Density (Policy HOU 12)

Q64. Is the minimum density of 30dph for new residential development in Cheshire East specified in Policy HOU 12 justified on the basis of proportionate evidence? If so what is the evidence to support this minimum density?

- 2.18 Our representations set out that whilst we do not object to the proposed general residential density of 30 dwellings per hectare, the policy is too prescriptive for sites within the existing settlement boundaries or close to existing or proposed transport nodes as it may not be possible to achieve higher densities in these locations due to design or site specific issues. Housing density should be considered on a site by site basis.

Q65. Should Policy HOU 12 be more explicit in accepting densities below the minimum of 30dph where lower densities are important to local character? Given the diverse character of residential areas in Cheshire East, would setting a range of acceptable densities for new residential development for different settlements be more effective and consistent with national policy?

- 2.19 Yes. In the same way that not all sites within settlement boundaries can accommodate densities higher than 30 dwellings per hectare, it is not always possible for new residential schemes to achieve a density of 30 dwellings to the hectare depending on the site constraints and circumstances. Density should be considered on a site by site basis.

Housing delivery (Policy HOU 13)

Q66. Is Policy HOU 13 justified, based on proportionate evidence of local circumstances affecting housing delivery? Does it serve a clear purpose, avoiding unnecessary duplication of national policy, as expected in paragraph 16f) of the NPPF, given that the provisions of HOU 13 are substantially contained in national policy?

- 2.20 Policy HOU13 does not serve a clear purpose in the development management process and duplicates policies within the Framework.

Q67. To ensure it is positively prepared, should Policy HOU 13 also include commitments for the local planning authority to minimise the number of pre-commencement conditions imposed on permissions by resolving issues through pre-application discussion?

- Yes. A commitment to minimising pre-commencement conditions and resolving issues through pre-application discussions would be welcomed by applicants.